

tion to actively encourage the growth and development of appropriate Parliamentary systems within the member States of the Commonwealth.

The Association therefore warmly welcomes Norfolk Island and the return of Bangladesh, Ghana and Switzerland to its membership and hopes that in the very near future, it will have the pleasure of receiving delegates from Nigeria and Zimbabwe Rhodesia at its conference.

As we observe the occasion of Commonwealth Day, it is my deep belief that this group of nations with its time-honoured traditions, rich diversities and strong sense of community will continue through its Parliamentarians, to inspire and provide leadership in the pursuit of new co-operative and mutually beneficial relationship among states of international community.

Death of sadu in Police Custody

MR. SPEAKER.—Now, the Hon. Chief Minister will make a statement.

SRI R. GUNDU RAO (Chief Minister).—Sir, the Hon. Members will recall my having assured them that as soon as the Sub-Divisional Magistrate.....

SRI C.M. ARUMUGHAM.—On a point of order, I have no objection for the Hon. Chief Minister to read his statement. It is only a procedural matter than I am raising now. You are aware that today is fixed for presenting the Budget by the Finance Minister. When the Budget is presented no other business should be transacted. Making a statement is a deviation; and when the Minister makes a statement, you will have to give some time for the Members to participate and discuss it. Allowing a Minister to make a statement on the day on which the Budget is presented, would be a deviation from all the established procedures and practice that this House is having for all these years.

AN. HON. MEMBER.—It is a convention.

SRI C.M. ARUMUGHAM.—It is not only a convention but is also in accordance with the Rules of Procedure and Conduct of Business in this House. Therefore, when once you deviate, whatever may be the reason, you will have to permit us to participate and discuss the matter either before or after the budget is presented. And one thing else Sir, you were reading something regarding the Common Wealth Parliamentary Association, which I was not able to follow. I cannot question the Speaker because he has got inherent powers and I am

not questioning that. Therefore, I seek your valuable and learned ruling on the issue of making a statement on the day of presentation of the Budget.

SRI A. LAKSHMI SAGAR.—I would like to say that this is a departure which we are not accustomed to. It is a premature departure.

ಶ್ರೀ ಮೆಳ್ಳೂರು ಆನಂದರಾವ್.—ಈಗ ಮಾನ್ಯ ಸದಸ್ಯರಾದ ಶ್ರೀಮಾನ್ ಸಿ. ಎಂ. ಆರ್ಮುಗಂ ರವರು ಏನು ಪಾಯಿಂಟ್ ಆಫ್ ಆರ್ಡರ್ ರೈಸ್ ಮಾಡಿದ್ದಾರೆ, ಅದರ ಬಗ್ಗೆ ನನ್ನ ಅಭಿಪ್ರಾಯ ವೇನೆಂದರೆ, ಇವತ್ತು ಸಾಧುವಿನ ಒಂದು ಮೃತ್ಯುವಿಗೆ, ಅದರ ಬಗ್ಗೆ ಪತ್ರಿಕೆಗಳಲ್ಲಿ ವಿವರಗಳು ಬಂದಿವೆ. ಇವತ್ತು ಬಡ್ಡೆಟ್ ಮಂಡನೆ ಇಲ್ಲದಿದ್ದರೆ ಅದರ ಬಗ್ಗೆ ವ್ಯಾಪಕವಾಗಿ ಚರ್ಚೆ ಮಾಡುತ್ತಿದ್ದೆವು. ಇದು ಬಹಳ ಗಭೀರವಾದ ವಿಷಯ ಬಹಳ ಪ್ರಮುಖವಾದ ವಿಷಯ. ಇವತ್ತು ನಾವು ಈಗ ಏನು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿಕೆಯನ್ನು ಕೊಡುತ್ತಿದ್ದಾರೆ ಅದಕ್ಕೆ ನಾವು ಅಡ್ಡಿ ಮಾಡಿದರೆ ಅದರ ಗಂಭೀರತೆ ಹೋಗುತ್ತದೆ. ಇವತ್ತು ಹಣವನ್ನು ಹೊರಗೆ ತೆಗೆಯುತ್ತಿದ್ದಾರೆ. ಅಧ್ಯಕ್ಷರು ತಾವು ತಮ್ಮ ಅಧಿಕಾರವನ್ನು ಚಲಾಯಿಸಿ ಮೊದಲು ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಿಕೆಯನ್ನು ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಿ. ನಂತರ ಬಡ್ಡೆಟ್ ಮಂಡನೆ ಮಾಡುವುದಕ್ಕೆ ಅವಕಾಶ ಮಾಡಿಕೊಡಬೇಕೆಂದು ನನ್ನ ಅರಿಕೆ.

ಶ್ರೀ ಎಚ್. ಡಿ. ದೇವೇಗೌಡ.—ಈ ವಿಷಯದ ಬಗ್ಗೆ ನಮ್ಮ ಮಾನ್ಯ ಸ್ಪೀಕರರುಗಳು ಏನು ಕೆಲವು ಆಕ್ಷೇಪಣೆ ತೆಗೆದಿದ್ದಾರೆ, ಅದು ನಾವು ಇದುವರೆವಿಗೂ ಬೆಳೆಸಿಕೊಂಡು ಬಂದಿರತಕ್ಕಂತಹ ಸಭೆಯ ಸಂಪ್ರದಾಯಕ್ಕೆ ವಿರೋಧವಾಗುತ್ತದೆಂಬುದನ್ನು ನಾನೂ ಒಪ್ಪಿಕೊಳ್ಳುತ್ತೇನೆ. ಮಾನ್ಯ ಸದಸ್ಯರು ಎತ್ತಿರತಕ್ಕಂತಹ ಕ್ರಿಯಾ ಲೋಪದಂತೆ ನಾವು ಇದುವರೆವಿಗೂ ಬೆಳೆಸಿಕೊಂಡು ಬಂದಿರತಕ್ಕಂತಹ ಸಂಪ್ರದಾಯಕ್ಕೆ ಸ್ವಲ್ಪ ಇವತ್ತು ದೂರ ಸರಿಯತಕ್ಕಂತಹ ಸನ್ನಿವೇಶ ಬಂದಿದೆ. ಈ ಒಂದು ಸನ್ನಿವೇಶ ಇವತ್ತು ಉಂಟಾಗಿದೆ. ಇವತ್ತು ಇಲ್ಲಿ ವಿವರಣೆ ಕೊಡತಕ್ಕಂತಹದ್ದು ಸೀರಿಯಸ್ ಆದುದು ಏನು ಅಲ್ಲವೆಂದು ಮಾನ್ಯ ಸದಸ್ಯರು ಭಾವಿಸಿದ್ದಾರೆ, ಅದರ ವಿಷಯ ಏನಾಗಿದೆ ಎಂದರೆ ಇವತ್ತು ಬೆಳಿಗ್ಗೆ ಹೊತ್ತಿರತಕ್ಕಂತಹ ಶವ ವನ್ನು ಹೊರಗೆ ತೆಗೆದಿದ್ದಾರೆ. ಪುನಃ ಪೋಸ್ಟ್ ಮಾರ್ಟಂ ಏನು ಮಾಡಿದ್ದಾರೋ ಗೊತ್ತಿಲ್ಲ. ಈ ಒಂದು ಸನ್ನಿವೇಶ ಉಂಟಾಗಿದೆ. ಇದು ಬಹುಶಃ ಎಲ್ಲಾ ಪತ್ರಿಕೆಗಳಲ್ಲೂ ಅದರ ಬಗ್ಗೆ ಸಾಕಷ್ಟು ವಿವರಗಳು ಬಂದಿವೆ. ಮತ್ತೆ ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಹಿಂದೆ ಈ ಬಗ್ಗೆ ಹೇಳಿಕೆ ನೀಡಿದಾಗ ಪೂರ್ಣ ಪೋಸ್ಟ್ ಮಾರ್ಟಂ ರಿಪೋರ್ಟ್ ಬಂದ ಮೇಲೆ ಅದನ್ನು ಸಭೆಯ ಮುಂದೆ ಇಡುತ್ತೇವೆಂದು ಅಂದೇ ಹೇಳಿದ್ದಾರೆ. ನಾಳೆ ಬರತಕ್ಕಂತಹ ವರದಿಯ ಬಗ್ಗೆ ಬೆಳಕು ಚೆಲ್ಲತಕ್ಕಂತಹದ್ದು, ಉಪಯುಕ್ತವಾಗಿದೆ. ಇದರ ಜೊತೆಗೆ ಇವತ್ತೇ ಬಡ್ಡೆಟ್ ಮಂಡನೆ ಮಾಡತಕ್ಕಂತಹ ದಿನ ಕೂಡ ನಿಗದಿಯಾಗಿದೆ. ಅದನ್ನು ಬದಲಾವಣೆ ಮಾಡುವುದಕ್ಕಾಗುವುದಿಲ್ಲ. ನಾಳೆ ಇದರ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಸರ್ಕಾರ ಕೂಡ ಒಪ್ಪಿದೆ, ಇದರ ಬಗ್ಗೆ ಅಧ್ಯಕ್ಷರ ಕೊಠಡಿಯಲ್ಲಿ ಚರ್ಚೆಯಾಯಿತು. ಮಾನ್ಯ ಮುಖ್ಯ ಮಂತ್ರಿಗಳು ಏನು ಇವತ್ತು ಸ್ಟೇಟ್ ಮೆಂಟ್ ಮಾಡುತ್ತಾರೆ. ಅದರ ಬಗ್ಗೆ ಚರ್ಚೆ ಮಾಡುವುದಕ್ಕೆ ಕಾಲವನ್ನು ಒದಗಿಸುವುದಕ್ಕೂ ಅವರು ಒಪ್ಪಿದ್ದಾರೆ. ಸಾರ್ವಜನಿಕರ ಹಿತದೃಷ್ಟಿಯಿಂದ ಈ ಒಂದು ಸ್ಟೇಟ್ ಮೆಂಟ್ ಆದಮೇಲೆ ಬಡ್ಡೆಟ್ ಮಂಡನೆ ಮಾಡಲಿ. ನಾಳೆ ಇದರ ಬಗ್ಗೆ ಚರ್ಚೆಗೆ ತೆಗೆದುಕೊಳ್ಳಲಿ. ನಾವೆಲ್ಲರೂ ಇದರಲ್ಲಿ ಸಹಕರಿಸೋಣ ಎಂದು ವಿನಂತಿ ಮಾಡಿಕೊಳ್ಳುತ್ತೇನೆ.

SRI A. LAKSHMI SAGAR :— I request that the copies of the statement which the hon. Chief Minister is making now, may kindly be circulated among the Members.

SRI B. B. SAYANAK :—Sir, I support the point of order raised by Sri Arumugham. Today is fixed only for presentation of the Budget according to the Agenda. We should not deviate from that convention.

SRI C. M. ARUMUGHAM :—I am arguing this basic issue namely, no other business should be transacted on the day on which the Budget is presented. This is the first time during the last ten years that a statement is being made which is outside the purview of the Budget. Therefore, Sir, you will have to take into consideration the constitutional provisions or the Rules of Procedure and Conduct of Business in the House. You are deviating the practice which we are following all these years.

SRI MALLUR ANAND RAO :—It is a new convention.

SRI C. M. ARUMUGHAM : May be a new convention. The Statement of the Chief Minister may be important but this deviation will set up a precedent. Every year on the day of presentation of the Budget, a statement can be made on any subject. This is my submission. Moreover, we do not have copies of the statement to be made by the Chief Minister. We are also not aware as to what has happened in the chambers of the Speaker and we are not bound by it. We are bound by the Business Advisory Committee decision only. Is that issue more important than the Budget? The Budget covers the entire population of Karnataka who are anxiously waiting for it. If the budget is given second preference and the death of the Sadhu is given top priority, it should have all the importance. Of course, that is mysterious. But, so many people die; hundreds of persons are murdered in this country. Can these things be given priority over the Budget? Therefore, this issue cannot get priority over the presentation of the Budget. Kindly give your ruling; if it is not possible to give it today, please reserve it and give tomorrow. That is my submission. If Sri Deve Gowda claims that we can have all other things and present the Budget afterwards, there is no need to present the budget immediately. Let us discuss on the statement first and let the Finance Minister present the Budget afterwards.

SRI S. M. YAHYA : Sir, as far as the rules of procedure are concerned, there is no basis for the point of order raised by Sri Arumugham. I would like to draw the attention of the hon. Speaker to Rule 160 which reads as follows :—

“There shall be no discussion of the Budget on the day on which it is presented to the Assembly.”

So, as far as this rule is concerned, there should be no discussion after the Budget is presented.

SRI A. LAKSHMI SAGAR : On the Budget.

SRI S. M. YAHYA : The Budget is not presented to the Assembly at present. Therefore, before the presentation of the Budget, this Rule will not prevent either making a statement by the hon. Chief

Minister or discussing any other matter. As hon. Member Sri Deve Gowda has said, we must study the budget after its presentation so that there can be a fair discussion.

MR. SPEAKER : Hon. member Sri Arumugham wanted to know the message which I have read. As per the request of the Chairman of the Executive Committee of the Commonwealth Parliamentary Association, of which Sri Arumugham also is a Member, I have read the Message in connection with the celebration of Commonwealth Day.

As far as the issue regarding the death of the Sadhu is concerned discussion was held in his House to which the hon. Chief Minister had assured that soon after the receipt of the Report, he would submit the same to the House. The hon. Members have already read in Newspapers certain illustrations about the Report. The hon. Chief Minister, who is the Leader of the House, telephoned to me and stated that there was a necessity for making a statement so that the doubts which are agitating in the minds of the public, may be clarified. Therefore, I thought over the matter and examined the rules. There is no bar in the Rules to make a statement. As a special case, I have allowed the Leader of the House to make a statement. If any clarifications are required, the matter will be taken up for discussion tomorrow because soon after the budget is presented there is no provision for discussion as already pointed out by hon. Members Sri S. M. Yahya and Sri Deve Gowda. This is a precedent and I agree that normally we do not transact other business on the day on which the Budget is presented. Therefore, I have permitted the Leader of the House to make a statement.

SRI R. GUNDU RAO (Chief Minister).—Hon'ble Members will recall my having assured them that as soon as the Sub-Divisional Magistrate investigating the death of Sadhu Lakshmangiri alias Laxman Singh, received the post-mortem report, the details would be made available to the House.

Dr. B. C. Chandregowda.—Professor of Forensic Science and Head of the Department, Victoria Hospital sent the post-mortem report to the Sub-Divisional Magistrate Shri Sangappa as 1.15 P. M. on 8-3-1980. The District Magistrate, Bangalore has reported that the final opinion given in the post-mortem report is as follows :—

- (i) All the injuries found on the body are ante-mortem and fresh.
- (ii) The injuries could be caused by a blunt hard weapon or object.
- (iii) Cause of death is due to shock and haemorrhage as a result of multiple injuries sustained."

It will be seen therefore that there is inconsistency between the observations made by the Professor of Forensic Science in the post-mortem report and those made by the Sub-Divisional Magistrate in his interim report and the inquest report, relevant extracts of which I had read out to the House on 8-3-1980.

The District Magistrate, Bangalore, has reported to the Government that he has taken judicial notice of the press reports of the post-mortem report, as also of information given to him by the Sub-Divisional Magistrate and that, consequently, he has taken the following action :

(a) Ordered on 9-3-1980 under section 176(3) Cr. P. C. directing the exhumation of the body of Shri Lakshmanagiri ;

(b) Ordered, in view of the contradiction between the post-mortem report on the one hand and the personally noted observations of the Sub-Divisional Magistrate on the other hand, a fresh inquiry under section 176 Cr. P. C. be conducted by the Additional District Magistrate Shri Maheshan.

(c) Directed the Additional District Magistrate, Bangalore who has taken up the fresh enquiry, to refer the body for an autopsy to Dr. H. A. Somaiah, M.B.B.S., M.D., D.F.M., Professor and Head of the Department of Forensic Medicine, Government Medical College Mysore.

The body was exhumed this morning in the presence of the Additional District Magistrate Shri Maheshan and Dr. H. A. Somaiah Smt. Lakshamma close associate of the deceased was also present at that time. The Additional District Magistrate, Bangalore, Shri Maheshan, has taken up the fresh enquiry.

The Commissioner of Police, Bangalore, to whose notice details of the post-mortem report had been brought by the District Magistrate Bangalore, has taken immediate action to suspend Shri H. B. Shivaswamy, Circle Inspector of Police, Kangerigate Sub-Division. Any further action that has to be taken against this officer will depend upon the final report to be received from the additional District Magistrate.

SRI A. LAKSHMI SAGAR.—Sir, I want a copy of this statement and also a copy of the inquest report of the Sub-Divisional Magistrate.

MR. SPEAKER.—Now, Sri M. Veerappa Moily, the hon. Finance Minister, will present the Budget Estimates for the financial year 1980-81.